

PATENT
Customer No. 22,852
Attorney Docket No. 07883.0004-07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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Scott J. WOLF et al.)	Group Art Unit: 3731
)	
Application No.: 10/681,323)	Examiner: U. Ho
)	
Filed: October 9, 2003)	
)	
For: DELIVERY OF LEFT)	Confirmation No. 3366
VENTRICULAR CONDUITS TO)	
CORONARY VESSELS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.
Copies of the U.S. patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

Applicants submit the last two documents listed in the non-patent literature documents section of the attached Form PTO/SB/08 in view of a provisional double

patenting rejection over the present application that issued in an Office Action dated July 2, 2004 in copending U.S. Application No. 09/534,038. The Office Action dated July 2, 2004, as well as all other Office Actions that have been issued and claim amendments that have been filed in Application No. 09/534,038 prior to November 24, 2004 were submitted in an Information Disclosure Statement filed in this case on November 24, 2004. The last two documents listed in the non-patent literature documents section of the attached Form PTO/SB/08 are submitted herewith as an update to those November 24, 2004 submissions.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement not otherwise provided for, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2005

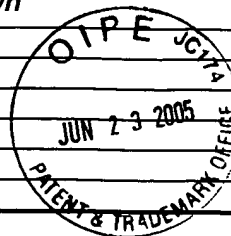
By: 
Michael W. Kim
Reg. No. 51,880

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/681,323
Filing Date	October 9, 2003
First Named Inventor	Scott J. WOLF
Art Unit	3731
Examiner Name	HO, UYEN H
Attorney Docket Number	07883.0004-07



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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		6,582,444 B2	06-24-2003	Wilk	
		6,605,113 B2	08-12-2003	Wilk	
		6,638,237 B1	10-28-2003	Guiles et al.	
		6,881,119 B2	04-19-2005	Wilk et al.	
		5,411,552 A	05-02-1995	Andersen et al.	
		5,840,081 A	11-14-1998	Andersen et al.	
		5,935,161 A	08-10-1999	Robinson et al.	
		6,045,565 A	04-04-2000	Ellis et al.	
		6,076,529 A	06-20-2000	Vanney et al.	
		6,080,163 A	06-27-2000	Hussein et al.	
		6,168,614 B1	01-02-2001	Andersen et al.	
		6,186,972 B1	02-13-2001	Nelson et al.	
		6,251,104 B1	06-26-2001	Kesten et al.	
		6,302,875 B1	10-16-2001	Makower et al.	
		6,638,247 B1	10-28-2003	Selmon et al.	
		6,638,293 B1	10-28-2003	Makower et al.	
		6,651,670 B2	11-25-2003	Rapacki et al.	
		6,726,677 B1	04-27-2004	Flaherty et al.	
		6,746,464 B1	06-08-2004	Makower	
		6,774,278 B1	08-10-2004	Ragheb et al.	
		6,808,498 B1	10-26-2004	Laroya et al.	
		6,830,568 B1	12-14-2004	Kesten et al.	
		6,863,684 B2	03-08-2005	Kim et al.	
		2003-0212413 A1	11-13-2003	Wilk	
		2004-0006298 A1	01-08-2004	Wilk	
		2004-0106931 A1	06-03-2004	Guiles et al.	
		2004-0118415 A1	06-24-2004	Hall et al.	
		2004-0122347 A1	06-24-2004	Knudson et al.	
		2004-0147869 A1	07-29-2004	Wolf et al.	
		2004-0186507 A1	09-23-2004	Hall et al.	
		2005-0004505 A1	01-06-2005	Phelps et al.	
		2005-0033220 A1	02-10-2005	Wilk et al.	
		2003-0073973 A1	04-17-2003	Evans et al.	
		2003-0100920 A1	05-29-2003	Akin et al.	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/681,323	
			Filing Date	October 9, 2003	
			First Named Inventor	Scott J. WOLF	
			Art Unit	3731	
			Examiner Name	HO, UYEN H	
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		2004-0058097 A1	03-25-2004	Weder	
		2004-0088042 A1	05-06-2004	Kim et al.	
		2004-0113306 A1	06-17-2004	Rapacki et al.	
		2004-0122318 A1	06-24-2004	Flaherty et al.	
		2004-0122347 A1	06-24-2004	Knudson et al.	
		2004-0133154 A1	07-08-2004	Flaherty et al.	
		2004-0133225 A1	07-08-2004	Makower	
		2004-0158143 A1	08-12-2004	Flaherty et al.	
		2004-0167444 A1	08-26-2004	Laroya et al.	
		2004-0168691 A1	09-02-2004	Sharkawy et al.	
		2004-0186557 A1	09-23-2004	Gambale et al.	
		2004-0186587 A1	09-23-2004	Ahern	
		2004-0219180 A1	11-04-2004	Gambale et al.	
		2004-0220598 A1	11-04-2004	Bolduc et al.	
		2004-0225355 A1	11-11-2004	Stevens	
		2004-0236418 A1	11-25-2004	Stevens	
		2005-0004558 A1	01-06-2005	Gambale et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 1 107 710 B1	12-08-2004	Percardia, Inc.		
		EP 1 516 599 A2	03-23-2005	Percardia, Inc.		
		EP 0 592 410 B1	10-11-1995	Anderson, Henning Rud		
		EP 0 954 248 B1	09-15-2004	Transvascular, Inc.		
		EP 1 115 452 B1	11-24-2004	C.R. Bard Inc.		
		EP 1 477 202 A2	11-17-2004	C.R. Bard Inc.		
		EP 1 484 081 A1	12-08-2004	C.R. Bard Inc.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s)	Translation ⁶

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			Art Unit	3731	
			Examiner Name	HO, UYEN H	
Sheet	3	of	3	Attorney Docket Number	07883.0004-07

NON PATENT LITERATURE DOCUMENTS			
		publisher, city and-or country where published.	
		ANNE BOHNING, KENNETH JOCHIM & LOUIS N. KATZ; "Thebesian Vessels as a Source of Nourishment for the Myocardium"; American Journal of Physiology; 1933; pp. 183-200; Vol. 106; American Physiological Society; U.S.A.	
		ALFRED GOLDMAN, SEYMOUR M. GREENSTONE, FRED S. PREUSS, SHERMAN H. STRAUSS & EN-SHU CHANG; "Experimental Methods for Producing a Collateral Circulation to the Heart Directly from the Left Ventricle"; Journal of Thoracic Surgery; Mar. 1956; pp. 364-374; Vol. 31, No. 3; U.S.A.	
		FRANK M. GALIOTO, MILTON J. REITMAN, ARNOLD J. SLOVIS & IRVING A. SAROT; "Right coronary artery to left ventricle fistula: A case report and discussion"; American Heart Journal; Jul. 1971; pp. 93-97; Vol. 82, No. 1; The C.V. Mosby Company; St. Louis, MO.	
		JOSEPH P. ARCHIE JR.; "Intramyocardial Pressure: Effect of Preload on Transmural Distribution of Systolic Coronary Blood Flow"; The American Journal of Cardiology; Jun. 1975; pp. 904-911; Vol. 35; U.S.A.	
		L. LEVINSKY, T.Z. LAJOS, A.B. LEE, JR., C. ESPERSEN, & G. SCHIMERT; "The Revival of the Horseshoe Graft (Side-to-Side Saphenous-Vein-to-Aorta Anastomosis"; The Thoracic and Cardiovascular Surgeon; Oct. 1979; pp. 322-324; Vol. 27, No. 5; Georg Thieme Publishers; Stuttgart, Germany.	
		GARRETT LEE, RICHARD M. IKEDA, JEROLD THEIS, DANIEL STOBBE, CLAIRE OGATA, HENRY LUI, ROBERT L. REIS, & DEAN T. MASON; "Effects of laser Irradiation delivered by flexible fiberoptic system on the left ventricular internal myocardium"; American Heart Journal; Sept. 1983; pp. 587-590; Vol. 106, No. 3; The C.V. Mosby Company; St. Louis, MO.	
		GOETZ M. RICHTER, GERD NOELDGE, JULIO C. PALMAZ, MARTIN ROESSLE, VOLKER SLEGERSTETTER, MARTINA FRANKE, WOLFGANG GEROK, WERNER WENZ & EDWARD FARTHMAN; "Transjugular Intrahepatic Portacaval Stent Shunt: Preliminary Clinical Results"; Radiology; Mar. 1990; pp. 1027-1030; Vol. 174, No. 3, Pt. 2; The Radiological Society of North America; Oak Brook, IL.	
		Medical Industry Today Headline News; "Eclipse Gets OK to Pump Catheter Marketing in Europe"; Jul. 17, 1998; pp. 1-2; Article #07179802, Article is 349 words long; Medical Data International, Inc.; Santa Ana, CA.	
		Medical Industry Today Headline News; "Sales Dive, Losses Soar in 2Q for CardioGenesis"; Jul. 17, 1998; pp. 1-2; Article #07179808, Article is 560 words long; Medical Data International, Inc.; U.S.A.	
		HOWARD A. COHEN & MARCO ZENATI; "Alternative Approaches to Coronary Revascularization"; Current International Cardiology Reports; 1999; pp. 138-146; Vol. 1; Current Science, Inc.; U.S.A.	
		STEPHEN N. OESTERLE, NICOLAUS REIFART, MOTOYA HAYASE, EUGEN HAPUTMANN, REGINALD LOW, RAIMUND ERBEL, MICHAEL HAUSE, OLAF DIRSCH, GERHARD C. SCHULER, RENU VIRMANI & ALAN C. YEUNG; "Catheter-Based Coronary Bypass: A Development Update"; Catheterization and Cardiovascular Interventions; 2003; pp. 212-218; Vol. 58; Wiley-Liss, Inc.; U.S.A.	
		Request for Reconsideration dated May 11, 2005 in copending U.S. Patent Application No. 09/534,038 (4 pages).	
		Final Office Action dated January 26, 2005 in copending U.S. Patent Application No. 09/534,038 (6 pages).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.